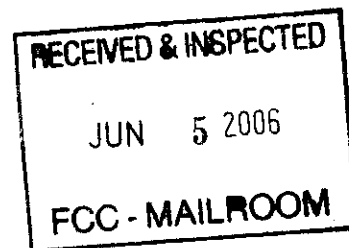


# Colegio San Juan Bosco

URB. JARDINES DE ARECIBO • CALLE R Y-26 • ARECIBO, P.R. 00612 • TEL. (787) 879-1070 / FAX 817-4107

May 31, 2006



FEDERAL COMMUNICATIONS COMMISSION  
Office of the Secretary  
445 12th Street, SW  
Room TW-A325  
Washington, DC 200554

Enclosed you will find the REQUEST FOR REVIEW form corresponding to San Juan Bosco School in Arecibo, Puerto Rico (Form 471-Application No. 457034).

If there is any doubt to the respect, please contact us at telephone (787) 879-1070.

Cordially yours,

  
Mrs. Nilda González - Director

Total pages included (without the cover letter - 11.

No. of copies made 0  
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Before the  
**FEDERAL COMMUNICATION COMMISSION**  
Washington, D.C. 20554

<b>RECEIVED &amp; INSPECTED</b>
JUN 5 2006
<b>FCC - MAILROOM</b>

In the Matter of	)	
	)	
Request for Review by Colegio San	)	
Juan Bosco on Decision of the	)	Form 471 Application No. 457034
Universal Service Administrator	)	
	)	
Schools and Libraries Universal Service	)	CC Docket No. 02-6
Support Mechanism	)	
	)	

TO: Wireline Competition Bureau

**REQUEST FOR REVIEW**

Pursuant to Sections 54.719(c) and 54.721 of the Federal Communications Commission ("Commission" or "FCC") rules, 47 C.F.R. §§ 54.719(c) and 54.721 (2004), Colegio San Juan Bosco ("San Juan Bosco") hereby appeals the decision of the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company to deny the requested discount on 90% for Internal Connections application for Funding Year 7 (07/01/2005 – 06/30/2006).

**I. BACKGROUND**

On February 18, 2005, San Juan Bosco filed an FCC Form 471 with the SLD listing the services for which it was requesting discounts under the schools and libraries universal service support mechanism (the "E-rate program").<sup>1</sup> By September 13, 2005, San Juan Bosco was addressed by the Superintendencia de Escuelas Catolicas Diocesis de Arecibo ("Superintendencia de Arecibo") inquiring information related to the final results of the social economical study for year 2005-2006, been the Superintendencia de Arecibo on questioning by

<sup>1</sup> FCC, Form 471 No. 456788 for Colegio San Juan Bosco, filed 02/18/2005 (Exhibit A).

the SLD's PIA Reviewer on their form 471 application number 463356<sup>2</sup>. By September 27, 2005, San Juan Bosco sent to Superintendencia de Arecibo the results of the social economical study.<sup>3</sup> Specifically, the information request, which was delivered by San Juan Bosco, requested the following information:

1. The total number of enrolled.
2. Total number of surveys/applications sent out
3. Number of survey/application returned
4. Total number of students that qualifies for the National School Lunch Program, using the Income Eligibility Guidelines (IEG) of the NSLP, per returned surveys/applications
5. Are the surveys/applications and results kept on file.
6. Provide a sample copy of the FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
7. A signed certification that reads: "I certify that only those students who meet the Income Eligibility of the National School Lunch Program have been included in Column 5 of item 10b, Block 4 (Worksheet A) of the Form 471."
8. The information must be in writing on the school letterhead and signed by a school official (such as the Principal, Vice – Principal Superintendent, Director of Food Services.

In its response, San Juan Bosco indicated that there were 486 students enrolled, that 486 surveys/applications were sent out and that 474 surveys/applications were returned. It also indicates from those survey/applications returned, 389 students qualifies for the NSLP, that the surveys/applications and its results are kept on file and certified, that only the students who meet the IEG of the NSLP had being included in Column 5 item 10b of block 4 (worksheet A) of the Form 471. On the socio economical study provided, provided evidence that qualifies the school for a 90% of discount. (389-NSPL students / 474 surveys returned = 82%).

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<sup>2</sup> Refer to questions from PIA reviewer Fabio Nieto to Lydia Hernández, Superintendent Superindencia Escuelas Católicas Diócesis de Arecibo. (Exhibit B)

<sup>3</sup> See responses from Nilda González, Director Colegio San Juan Bosco to Lydia Hernández dated September 27, 2005. (Exhibit C)

On February 08, 2006, San Juan Bosco received a Funding Commitment Decision Letter stating, as the decision and explanation to deny the requested discount, the following statements:

***Service/Discount will not be funded.***

On February 21, 2006, San Juan Bosco was inquired by an SLD's PIA reviewer to provide information related to the application number 4457034, where Internal Connection funding was requested. No other request for information was addressed directly, besides this one, to San Juan Bosco.<sup>4</sup>

## **II. COLEGIO SAN JUAN BOSCO SUSTAINED ITS ELIGIBILITY FOR THE SERVICES AND PERCENTAGE DISCOUNT BEING REQUESTED.**

The SLD states the FCDL that "***Service/Discount will not be funded***". San Juan Bosco provided all the information and documentation the SLD's PIA reviewer requested during the Application No. 463356 for Superintendencia de Arecibo. Such information and documentation was sufficient to validate San Juan Bosco's eligibility for the services solicited and the percentage discount requested. Even though, no SLD's PIA reviewers addressed inquiring San Juan Bosco for this data under their applications Number 456788 & 457034.

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<sup>4</sup> See questions addressed to Colegio San Juan Bosco dated February 21, 2006. (Exhibit D)

### **III. THE SLD ERRED IN FAILING TO FOLLOW FCC PRECEDENT THAT REQUIRES THE SLD TO CONTACT COLEGIO SAN JUAN BOSCO TO REQUEST DOCUMENTATION TO SUPPORT THE REQUESTED DISCOUNT**

The SLD's PIA reviewer contacted the Supcrintendencia de Arecibo and requested socio economical studies for San Juan Bosco, been the school in their application were they requested discount, but San Juan Bosco was never contacted or required to submit their social economical study under their application. San Juan Bosco did not receive the opportunity to provide their information the way it is supposed to in order to provide their eligibility on the E-rate program. Such information/documentation was to demonstrate to the eligibility for the requested discount if the opportunity to do so were given. In this case the SLD did not requested San Juan Bosco to provide information to prove their request, thus the SLD denied the applicant the opportunity to provide documentation to support statement in their review.

Consistent with the information posted at

<http://www.sl.universalservice.org/reference/AppealsSLDGuidelines.asp>, item 3 clearly states that: "When the appeal provides documentation to correct an incorrect SLD assumption made because there was insufficient information in the application file about an issue. In general, PIA will contact the applicant and ask for all information necessary to make decisions about an application. If that contact does not occur, however, and funding is denied based on an incorrect assumption, the SLD will grant an appeal when the appellant points out the incorrect assumption and provides documentation about the issue that is consistent with information originally provided but also successfully resolves the ambiguity in the original file".

**IV. THE SLD ERRONEOUSLY CONCLUDED THAT COLEGIO SAN JUAN BOSCO FAILED ON PROVIDING SUFFICIENT DOCUMENTATION TO DETERMINE ELIGIBILITY.**

Colegio San Juan Bosco, was not able to submit in their applications review the opportunity to the SLD the information and documentation required to validate their request of 90% of discount.

The SLD erred on denying the 90% discount to San Juan Bosco without asking for any information and or documentation to validate the requested discount under the Schools & Libraries E-Rate program.

**V. CONCLUSION**

Colegio San Juan Bosco for the reasons mentioned above states that, the SLD erred in their decision and we respectfully request the Commission to reverse the SLD's decision of denying the discount percentage and grant its application to be funded at a 90% discount.

Respectfully submitted,

**COLEGIO SAN JUAN BOSCO**

/s/ Nilda González  
Nilda González

Director, Colegio San Juan Bosco  
Calle RY 26

Jardines de Arecibo  
Arecibo, PR 00612

Tel: 787-879-1070

Fax: 787-817-4107

May 22, 2006

**Schools and Libraries Universal Service Program  
Services Ordered and Certification Form 471  
Application Display**

**EXHIBIT A**

**Block 1**

**Block 2 & 3**

**Block 4**

**Block 5**

**Block 6**

**Misc**

471 Application No: 457034  
Form Status: CERTIFIED - In Window  
Out of Window Letter Date: Not applicable

Funding Year: 07/01/2005 - 06/30/2006 Cert. Postmark Date: 02/18/2005  
RAL Date: 03/14/2005

Applicant's Form Identifier: BOSCO-05-02

**Block 1: Billed Entity Information**

Billed Entity Number: 159199

Applicant Name: COLEGIO SAN JUAN BOSCO

Address: JARDINES DE ARECIBO CALLE R-Y 26

City: ARECIBO State: PR Zip: 00612

Contact Name: LYDIA HERNANDEZ

Address: CALLE SALAS #26

City: ARECIBO State: PR Zip: 00613

Type of Application: SCHOOL

Ineligible Orgs: N

[Previous](#)

[Display Entire Application](#)



**Universal Service Administrative Company**  
Schools & Libraries Division

Date: 9/12/2005

Dear: Lydia Hernandez  
Catolicas Diocesis De Arecibo  
Phone #- 787-878-1095  
Application Number- ~~220081~~

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2005 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

1. For the Billed Entity listed below, we do not have the associated FCC Registration Number (FCC RN). The FCC, in its Fifth Report and Order, requires entities that currently participate in the Schools and Libraries Support Mechanism have an FCC Registration Number. This requirement applies to schools, libraries, non-instructional facilities, consortium leaders, service providers and consultants.

BEN FCCRN  
220081

If you already have an FCC Registration Number for your Billed Entity (the entity listed in Block 1 of the Form 471), please provide that FCC Registration Number.

If you do not yet have an FCC Registration Number, you can obtain one by applying to the FCC at [www.fcc.gov](http://www.fcc.gov). Click on link for CORES (Commission Registration System), or go directly at the FCC CORES registration site at <https://svartifoss2.fcc.gov/cors/CoresHome.html>.

After obtaining the FCC Registration Number, please provide us the FCC Registration Number.

Additional guidance on this topic and filing tips are located in the Reference area of our website, under "FCC Registration Numbers" <http://www.sl.universalservice.org/whatsnew/2004/102004.aspx102904>

You will need your Taxpayer Identification Number (TIN) to obtain an FCC Registration Number. For some employers, including state and local government agencies and non-profit organizations, the TIN is the IRS-issued Employer Identification Number (EIN).

2. Based upon review of your Form 471 application, we were not able to validate your requested discount percentage of:

80% for Colegio Nuestra Senora Del Carmen, validated at 70%  
80% for Colegio San Felipe, validated at 70%  
90% for Colegio San Juan Bosco, validated at 70%  
90% for Colegio Sagrada Familia, validated at 70%  
90% for Colegio Nuestra Senora Del Rosario, validated at 70%



If you choose to validate your original requested discount percentages, then please provide the appropriate documentation if one of the following acceptable methods were used:

A. If the school participates in a National School Lunch Program (NSLP), please provide us a signed copy (preferably by the Principal, Vice-Principal, Superintendent or chief school official, or Director of Food Services) of the October Reimbursement Claim Form that the school sends to the state each month. Make sure that the following 3 items are identified:

- 1) The Entity name
- 2) The total number of students enrolled at the entity
- 3) The total number of students eligible for Free/Reduced Lunch Program for the entity.

If the school district fills out an aggregate form for the school district, provide a signed letter from a school official (preferably the Superintendent (or chief school official)) that lists the enrollment and Free/Reduced information for each school in the district.

B. If the discount percentage was determined by information obtained from a survey/application, please provide the following information:

- 1) Total number of students enrolled
- 2) Total number of surveys/applications returned
- 3) Number of surveys/applications returned
- 4) Total number of students qualified for NSLP per the returned surveys/applications
- 5) Are the surveys/applications and results kept on file.
- 6) Provide a sample copy of a FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
- 7) A signed certification that reads: "I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 2a, of Block 4 of the Form 471."
- 8) This information must be in writing on school letterhead and signed by a school official (such as the Principal, Vice-Principal, Superintendent or chief school official, Director of Food Services).

C. If the discount was determined using a different method than what was identified above, please indicate the method that was used and provide all relevant data.

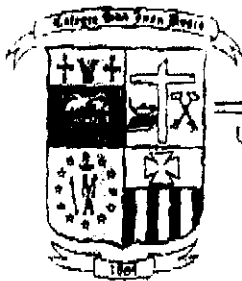
3. For FRN 1346737, your item 21 wasn't sufficiently detailed to determine the eligibility of your request. Please indicate the type of service (i.e. local, long distance, etc.) and the amount you are requesting.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. Failure to do so may result in a reduction or denial of funding.

Should you wish to cancel this application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Please send the requested information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.



# Colegio San Juan Bosco

URB. JARDINES DE ARECIBO • CALLE R Y-26 • ARECIBO, P.R. 00612 • TEL. (787) 879-1070 / FAX 817-4107

## EXHIBIT C

The discount percentage for Colegio San Juan Bosco was determined by information obtained from a survey/application method. Results were as follow:

Total number of students enrolled - 486

Total number of surveys/applications sent out - 486


Number of surveys/applications returned - 474

Total number of students qualified for NSLP per the returned surveys/applications - 389

Are the surveys/applications and results kept on file - Yes

Copy of a FILLED OUT SURVEY/APPLICATION - annex 1

Signed certification - annex 2

  
Nilda González  
Director  
Colegio San Juan Bosco



# Colegio San Juan Bosco

URB. JARDINES DE ARECIBO - CALLE X Y-26 - ARECIBO, P.R. 00612 - TEL. (787) 879-1070 / FAX 817-4107

## Certification

"I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in column 3 of Item 10b, of Block 4 (worksheet A) of the Form 471."

*Nilda González*  
Nilda González  
Director  
Colegio San Juan Bosco

*Sept. 27/2005*  
Date

Certificado u Acreditado por el Consejo General de Educación

EXHIBIT D

**USAC**

Universal Service Administrative Company  
Schools & Libraries Division

Date: 2/21/2006

Dear: Lydia Hernandez  
Colegio San Juan Bosco  
Phone #: 787-878-1095  
Application Number- 457034

You were recently sent a written request for additional information needed by the Program Integrity Assurance (PIA) team to review your FY2005 Form 471 Application to ensure that it is in compliance with the rules of the federal universal service program. We requested that the information be provided within seven calendar days. To date, none of the requested information has been received. The information needed to complete the review is listed below.

1. For application 457034 the documentation provided in the Item 21 Attachments was not sufficient to determine the eligibility of your request.

Please provide the following:

- \*Make and model of existing equipment to be maintained.
- \*Services to be performed under this maintenance contract.

Please fax or e-mail the requested information to my attention. If you have any questions please feel free to contact me.

It is important that we receive all of the information requested so the PIA team can complete its review. Failure to do so may result in a reduction or denial of funding.

You are being given an additional seven calendar days to respond. If we do not receive the requested information within seven calendar days, your application will be reviewed using the information currently on file. If you need additional time to prepare your response, please let me know as soon as possible.

Should you wish to cancel this application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

A copy of this correspondence is being forwarded to your State E-Rate Coordinator for informational purposes only.

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

SAN JUAN BOSCO  
CALLE R Y-26  
URB. JARDINE  
Arecibo, P.R. 00612

7006 0810 0004 4557 8043

Route

**Tina**

Delivery Point

**TW-B204**

OMD

06/05/06

PO#

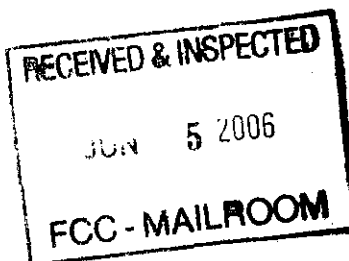
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Sdr SAN JUAN BOSCO SCH00

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Federal Communications Commission  
Office of the Secretary  
445 14th Street, SW  
Room TW-A325  
Washington, DC ~~200554~~  
20554